

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
BRYSON CITY DIVISION

CIVIL NO. 2:05CV216

DOROTHY DODD,)
)
Plaintiff,)
)
Vs.) ORDER
)
AUTOMOBILE INSURANCE)
COMPANY OF HARTFORD,)
d/b/a TRAVELERS,)
)
Defendant.)
)

THIS MATTER is before the Court on the Magistrate Judge's
Memorandum and Recommendation, filed June 12, 2006.

Pursuant to 28 U.S.C. § 636(b) and the standing Orders of
Designation of this Court, United States Magistrate Judge Dennis L.
Howell, was designated to consider pending motions in the captioned civil
action and to submit to this Court recommendations for the disposition of
these motions.

On June 12, 2006, the Magistrate Judge filed a Memorandum and
Recommendation in this case containing proposed findings of fact and

conclusions of law in support of a recommendation regarding Defendant's motion to dismiss. The parties were advised that any objections to the Magistrate Judge's findings were to be filed in writing within 14 days of service of the Recommendation; the period within which to file objections expired on June 29, 2006. No written objections to the Memorandum and Recommendation have been filed.

After a careful review of the Magistrate Judge's Recommendation, the Court finds that the proposed findings of fact are supported by the record and that the proposed conclusions of law are consistent with current case law. Accordingly, the Court hereby accepts the Magistrate Judge's Recommendation that the Defendant's motion be denied.

IT IS, THEREFORE, ORDERED that the Defendant's motion to dismiss is hereby **DENIED**.

Signed: June 30, 2006



Lacy H. Thornburg
United States District Judge

